

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ELI LILLY AND COMPANY,

Plaintiff,

v.

ACTAVIS ELIZABETH LLC,
GLENMARK PHARMACEUTICALS
INC., USA, SUN PHARMACEUTICAL
INDUSTRIES LIMITED, SANDOZ INC.,
MYLAN PHARMACEUTICALS INC.,
APOTEX INC., AUROBINDO PHARMA
LTD., TEVA PHARMACEUTICALS USA,
INC., SYNTHON LABORATORIES, INC.,
ZYDUS PHARMACEUTICALS, USA, INC.

Defendants.

Civil Action No. 07-3770 (DMC) (MF)

AMENDMENT TO PRETRIAL SCHEDULING ORDER

This matter having come before the Court upon the parties' stipulation and consent to amend certain discovery deadlines, and the Court having been fully advised that the parties require these adjustments to complete and facilitate discovery relating to the substantive issues of this litigation; and the Court having considered the pleadings in this matter, and for other and good cause appearing:

IT IS HEREBY ORDERED on this 20 day of November, 2008, that the Pretrial Scheduling Orders dated December 18, 2007 (Docket No. 109) and July 17, 2008 (Docket No. 192) are modified as follows:

1. Date for delivery of affirmative expert reports including secondary considerations by Plaintiff: December 19, 2008

2. Date for delivery of rebuttal expert reports: February 20, 2009
3. Expert discovery shall be completed by: April 3, 2009
4. Dispositive motions shall be filed by: April 13, 2009
5. Plaintiff reserves the right to respond to opinions contained in Defendants'

rebuttal report on secondary considerations.

CONSENTED TO BY:

/s John F. Brenner

John F. Brenner, Esq.
PEPPER HAMILTON LLP
Suite 400
301 Carnegie Center
Princeton, NJ 08543-5276
Tel: (609) 452-0808
Fax: (609) 452-1147

Sandra A. Bresnick, Esq.
Thomas H. Beck, Esq.
SIDLEY AUSTIN LLP
787 Seventh Avenue
New York, NY 10019
Tel: 212-839-5300
Fax: 212-839-5599

*Attorneys for Plaintiff Eli Lilly and
Company*

/s Joseph N. Froehlich

Joseph N. Froehlich, Esq.
David G. Greene, Esq.
Alan B. Clement, Esq.
LOCKE LORD BISSELL & LIDDELL LLP
885 Third Avenue
New York, NY 10022
Tel: (212) 947-4700
Fax: (212) 947-1202

Attorneys for Defendant Apotex, Inc.

/s Arnold B. Calmann

Arnold B. Calmann, Esq.
Jane Jhun, Esq.
SAIBER LLC
One Gateway Center, 13th Floor
Newark, NJ 07102-5311
(973) 622-3333
(973) 622-3349

Thomas J. Parker, Esq.
Victoria Ford, Esq.
ALSTON & BIRD LLP
90 Park Avenue
New York, NY 10016
(212) 210-9400
(212) 210-9444

*Attorneys for Defendant Mylan
Pharmaceuticals, Inc.*

/s Matthew J. Becker

Matthew J. Becker, Esq.
Jo-Anne M. Kokoski, Esq.
Axinn, Veltrop & Harkrider LLP
90 State House Square
Hartford, CT 06103

(860) 275-8100
(860) 275-8101

*Attorneys for Defendant Actavis
Elizabeth LLC*

/s/ Keith V. Rockey

Keith V. Rockey, Esq.
Kathleen A. Lyons, Esq.
Joseph Fuchs, Esq.
Avani Macaluso, Esq.
Rockey, Depke & Lyons, LLP
Sears Tower, Suite 5450
233 South Wacker Drive
Chicago, IL 60606
Tel: (312) 277-2006
Fax: (312) 441-0570

Attorneys for Defendant Sandoz, Inc.

/s/ Steven J. Lee

Steven J. Lee, Esq.
Huiya Wu, Esq.
Kenyon & Kenyon LLP
One Broadway
New York, NY 10004-0007
Tel: (212) 425-7200
Fax: (212) 425-5288

*Attorneys for Defendant Teva.
Pharmaceuticals USA, Inc.*

/s/ Christine J. Siwik

Christine J. Siwik, Esq.
William A. Rakoczy, Esq.
Paul J. Molino, Esq.
Deanne M. Mazzochi
Rakoczy Molino Mazzochi &
Siwik LLP
6 West Hubbard Street, Suite 500
Chicago, IL 60610
(312) 222-6304
(860) 222-6324

*Attorneys for Defendant Aurobindo
Pharma Ltd.*

/s/ Donald J. Mizerk

Donald J. Mizerk, Esq.
Winston & Strawn LLP
35 West Wacker Drive
Chicago, IL 60601

(312) 558-5600
(312) 558-5700

*Attorneys for Defendant Sun
Pharmaceutical Industries Ltd.*

SO ORDERED:

Dated: 11/20/09



Honorable Mark Falk, U.S.M.J.